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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HARPER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

December 4, 2012.

I hereby appoint the Honorable GREGG HARPER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE J. WELLINGTON WIMPY REVENUE PLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFazio) for 5 minutes.

Mr. DEFazio. Well, yesterday the Republicans released a vague press release saying it constituted a counteroffer to the President's roadmap to avoid driving over the fiscal cliff.

Now, the Republican plan purports to cut \$1.3 trillion and raise \$800 billion in new revenues. It did contain four specifics. Four.

Cut Medicare, specific number 1, \$600 billion.

Cut Medicaid, pays for nursing homes for seniors, of course, priority number 2.

Cut the already inadequate COLA for seniors on Social Security, even though 40 percent of seniors depend principally or totally upon Social Security, and the COLA already underestimates inflation, particularly for medical care, prescription drugs, and other essentials they have to buy. Cut that. Not a driver of the deficit but, hey, why not? Cut that.

One more specific, preserve the Bush-era tax rates for income over \$250,000. Now, there's a big misunderstanding about that. It's not a tax increase on everybody who earns over \$250,000. It's only the income over \$250,000 that would get additional taxes if the Bush-era rates went away and the President's proposal was passed.

But, no, they want to preserve that, totally preserve tax cuts for people with income over \$250,000. They also want to preserve the reduced capital gains rate and dividends rate which principally benefits—who else—millionaires and billionaires.

Now, they did promise the J. Wellington Wimpy revenue plan. Remember J. Wellington Wimpy? Popeye, I'll gladly pay you Tuesday for a hamburger today.

That's their revenue plan. Next year we'll close unspecified tax loopholes, but we're going to lower the tax rates on investor income, lower the tax rates on the people at the top. But they're going to raise \$800 billion by closing unspecified loopholes.

What would that be?

Do they want to take away the middle class' one tax shelter, that is, the ability to deduct the interest on their home mortgage? Probably.

If they're going to raise that \$800 billion, it's going to come from something pretty big, and they don't want to touch the billionaire-millionaire job-creator class.

Now, that's a pretty interesting position, and their position is the job creators who earn over \$250,000 a year will go on strike, strike if their tax rates go up. They won't produce jobs.

Tell me about the jobs they have produced in the last decade with those tax cuts. It doesn't seem to work, does it?

But in the Clinton era, when their rates went up to 39.6 from 35, they paid a little bit more and, guess what, the economy boomed. We had 3.8 percent unemployment, we balanced the budget, and we paid down debt.

But now they're saying if they went back to those Clinton-era rates, disaster would result. Well, you know what?

That's the same thing they said when they opposed Clinton tax increases in '94. They said disaster will result. Not a single Republican, fiscal conservatives that they are, voted for the increases in taxes that President Clinton put forward, which ultimately led to a balanced budget and paying down debt for the first time in 50 years. Not one of them because they said it would bring economic disaster and, instead, it brought prosperity.

So they just brought out that old broken record. They glued it back together, or maybe they, you know, translated it into a digital format or something, but they're playing it again, and it's as valid now as it was then.

So it's the same old plan. Stick it to the middle class, stick it to the seniors, and benefit the ultra-wealthy in this country. That's not a new plan. That's the same old broken record.

SAFER ACT FOR SEXUAL ASSAULT VICTIMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Mr. POE of Texas. Mr. Speaker, one of the most marvelous scientific breakthroughs in the criminal justice system has been DNA evidence. I remember when I was a judge in the courthouse when DNA started being used at the courtroom.

Prior to DNA, many times prosecutors and law enforcement had to rely on blood samples and fingerprints. But once DNA came in, we learned that everybody has a unique genetic makeup that can be tested and it can be traced to perpetrators of crime when they commit a crime, especially in sexual assault cases.

And convictions have gone up. The evidence is better. The proof beyond a reasonable doubt is much more concrete in DNA cases.

In 1985, there was a 13-year-old girl named Lavinia Masters. Lavinia lived in Dallas, Texas. One evening she told her folks good night. She went to her bedroom, which should be, Mr. Speaker, the safest place on Earth for children. Went to sleep, and during the middle of the night, she was woken up by an outlaw putting a knife to her throat. He sexually assaulted her. Then he snuck away in the darkness of the night.

That was in 1985. She went to the hospital. Her parents took care of her medical needs. DNA evidence was taken from her and put in a "rape kit". It was given to the law enforcement authorities, but that DNA evidence from that sexual assault that night in 1985 was not tested for 20 years. It sat on the shelf in a crime lab somewhere in Dallas, Texas.

Because the Dallas Police Department had a new incentive to go and look at those old cases, this case was looked at 20 years later. That evidence was tested, and the Dallas Police Department discovered that Kevin Glen Turner had committed this crime back in 1985. But that was 20 years ago. The statute of limitations had run, and justice could not occur in Lavinia's case because the system waited too long to find the outlaw.

Kevin Turner turned out to be a criminal in other cases and ended up in the penitentiary for those crimes, but justice was denied for Lavinia, denied because of bureaucratic red tape.

You see, Mr. Speaker, many rape kits sit on the shelves of evidence rooms across the country untested. Some of them sit there so long that they're discarded by law enforcement, and the statute of limitations runs like it ran in Lavinia's case.

She is not alone, Mr. Speaker. There are 400,000 untested rape kits in this country—400,000, that's a number; but every one of those represents a person. To try to put it in some perspective, there were a little over 400,000 Americans killed in World War II. They were killed by the enemies of our country. 400,000, primarily young women, have been assaulted by rapists who try to kill the soul of these victims. It's important that we not stop prosecuting these cases because of funding.

That's why I've introduced, along with Congresswoman MALONEY from New York, the bipartisan SAFER Act, companion bill with the bipartisan bill in the Senate by Senator CORNYN and Senator BENNET.

The SAFER Act does a lot of good things, but basically it allows funding to go so to make sure that we test these cases. It audits these backlogs so that we know where these cases are that are sitting on the shelves. So it does the audit. It gets more funding. It brings these cases to justice so that we can make sure that these victims of crime have their day in court as well.

□ 1010

DNA is a wonderful thing. It's important that we make sure that that evidence is available for law enforcement, prosecutors, and judges in the courtroom.

She was a child. Lavinia was a child when she was sexually assaulted. That was a long time ago. But there are 400,000 cases waiting to be tested. This is something that we can do in a bipartisan way today, to test those cases so we can bring justice to the victims of crime and make sure those outlaws get their day in court as well and be held accountable for the rape of children in our country.

And that's just the way it is.

FIGHTING HIV/AIDS: A PILLAR OF SMART SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, this past weekend, we observed World AIDS Day, a time to remember those lost to this horrific disease and to recommit ourselves to prevention, treatment and, ultimately, a cure. For more than 30 years now, HIV/AIDS has exacted a huge toll, killing more than 25 million people. Every 9.5 minutes in our country, someone is infected. But this is predominantly a disease of the developing world. A shocking 33.4 million people are living with HIV/AIDS today, almost all in the world's poorer countries, particularly sub-Saharan Africa. Too many of them don't have access to the medication and overall health care infrastructure that they need.

AIDS is linked to many other problems of poverty, malnutrition, and other infectious diseases as well. It contributes to instability and a sense of hopelessness in countries that are already susceptible to violence and terrorism. If we don't contain and defeat this epidemic, it will undermine democratic governments, it will continue to impede economic growth overseas, and it will threaten us right here in the United States. In other words, this isn't just an economic issue or a health care issue; it's a national security issue.

Unfortunately, Mr. Speaker, over the last decade, "acting in our national se-

curity interests" has come to mean invading and occupying foreign nations. The Iraq war lasted 9 years and was responsible for untold human misery. The Afghanistan war, now in its 12th year, continues to damage our national security interests instead of enhancing them. It hasn't defeated the Taliban, nor has it alleviated crushing poverty or produced a stable democracy in Afghanistan. And then there's the cost—some \$10 billion a month. That would be a staggering amount of money for a successful policy. For a failed policy, it's downright scandalous. And it is rarely mentioned in all the conversations about so-called deficit crises and fiscal cliffs.

USAID and other civilian arms of government could do a world of good towards solving the AIDS crisis with a fraction of that money. Why does the Pentagon get a blank check while agencies that dispense aid have to fight for every single nickel that they receive? Why do we spend without restraint on wars and weapons that destroy lives but we squeeze those programs that save lives?

For many years now—and you have all heard me; this is my 443rd 5-minute speech on this issue. For many years now, I have been promoting the idea of SMART Security. SMART Security means protecting our interests not with military force or by maintaining a massive nuclear arsenal, but by investing in development and diplomacy and through humanitarian assistance and partnerships around the world.

At the AIDS Conference in Washington this past summer, there was a panel discussion on how, in the struggle against HIV/AIDS, we can do more with less. And what I want to know is: Why do we have to settle for less when it comes to HIV/AIDS? This is a humanitarian crisis. Our sense of moral decency should compel us to invest whatever it takes to bring an end to it.

It's not just the right thing, Mr. Speaker; it's the smart thing to do for our national security. Let's bring our troops home, let's implement SMART Security now, and let's have the resources available for what we really need to invest in around the world.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, I find it so ironic that our Nation is on the cliff of collapse and yet we continue to borrow money from China to prop up a corrupt leader in Afghanistan. Our country is in the most dire of fiscal straits, and we continue to send money to Afghanistan. The worst part is, the money we are sending, we cannot audit, and many times the taxpayers' money ends up in the hands of the Taliban to buy weapons to kill Americans.